

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**CRAIG MOSS,**  
**Petitioner,**

**v.**

**SUPERINTENDENT  
DEBLASO, *et al.*,**  
**Respondents.**

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**CIVIL ACTION NO. 1:19-CV-106**

**Judge Sylvia H. Rambo**

**ORDER**

**AND NOW**, this 21<sup>st</sup> day of March, 2019, upon consideration of Petitioner Craig Moss's Petition for Writ of *Habeas Corpus* pursuant to 28 U.S.C. § 2254 (ECF No. 1), Motion for Temporary Stay and Abeyance (ECF No. 2), Magistrate Judge Carlson's Report and Recommendation recommending that the § 2254 Petition be dismissed without prejudice (ECF No. 6), and Moss's Objection (ECF No. 7), **IT IS HEREBY ORDERED THAT:**

1. For the reasons set forth in the accompany Memorandum, Moss's Objection is **SUSTAINED**, and the Report and Recommendation is **REJECTED**.

2. Moss's Motion for Temporary Stay and Abeyance is **GRANTED**, and litigation in this *habeas corpus* proceeding is **STAYED** pending Moss's exhaustion of his available state court remedies.

3. If Moss is denied relief after exhausting all of his available state court remedies, he shall notify the Court within thirty (30) days from the time of final denial and request that the stay of litigation be vacated.

s/Sylvia H. Rambo  
SYLVIA H. RAMBO  
United States District Judge

Dated: March 21, 2019